



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/722,144	12/12/96	ISHIGURO	M 2292-038-0

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HM12/0520

EXAMINER

BERCH, M

ART UNIT	PAPER NUMBER
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1611

21

DATE MAILED: 05/20/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Advisory ActionApplication No.
08/722,144Applicant(s)
IshiguroExaminer
Mark L. BerchGroup Art Unit
1611**THE PERIOD FOR RESPONSE: [check only a) or b)]**

- a) ☐ expires _____ months from the mailing date of the final rejection.
- b) ☐ expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- ☒ Appellant's Brief is due two months from the date of the Notice of Appeal filed on Feb 17, 1999 (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on May 12, 1999 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:

- ☒ The proposed amendment(s):

- ☒ will be entered upon filing of a Notice of Appeal and an Appeal Brief.
- ☐ will not be entered because:
- ☐ they raise new issues that would require further consideration and/or search. (See note below).
 - ☐ they raise the issue of new matter. (See note below).
 - ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
 - ☐ they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: _____

- ☒ Applicant's response has overcome the following rejection(s):

None, see memo

- ☐ Newly proposed or amended claims _____ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.
- ☐ The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____
- ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
- ☒ For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: _____

Claims objected to: 35

Claims rejected: 1-29, 32-34, and 37-68

- ☐ The proposed drawing correction filed on _____ ☐ has ☐ has not been approved by the Examiner.
- ☐ Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Other PTO-413

MARK L. BERCH
PRIMARY EXAMINER
ART UNIT 1611

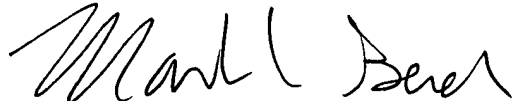
Art Unit: 1611

DETAILED ACTION

The amendment will be entered.

The IDS cannot be processed. AW and AY are clearly defective citations. It is impossible to tell what this means. T/66376 is meaningless. T is not a country code. AX is illegible. The document provided is defective, in that the structures present are so small that they cannot be read. In addition, the AX citation is also defective. HU 204055 is impossible; Hungarian Patent numbers do not go up that high, so this is erroneous.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Mark L. Berch whose telephone number is 703-308-4718.

A handwritten signature in black ink, appearing to read "Mark L. Berch". The signature is fluid and cursive, with the first name "Mark" and last name "Berch" clearly distinguishable.

Mark L. Berch

Primary Examiner

Group 1610 - Art Unit 1611

May 19, 1999